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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: **Itaru HONMA, et al.**

ATTN: **BOX MISSING PARTS**

Serial No.: **10/038,875**

Group Art Unit: **1745**

Filed: **January 8, 2002**

P.T.O. Confirmation No.: **6435**

For: **PROTON-CONDUCTING MEMBRANE, METHOD FOR PRODUCING THE SAME, AND FUEL CELL USING THE SAME**

RESPONSE TO NOTICE TO FILE MISSING PARTS

**Commissioner for Patents
Washington, D.C. 20231**

May 20, 2002

Dear Sir:

In response to the Notice to File Missing Parts of Application dated **April 4, 2002**, enclosed for filing is an executed Declaration and Power of Attorney for the above-identified patent application. Also in response to the Notice to File Missing Parts of Application is the substitute specification which includes the claims commencing on a separate sheet, as required under 37 CFR §1.75(h), which add no new matter for the above-identified patent application. Also enclosed please find the drawings. It is respectfully submitted that the drawings (replacement pages), add no new matter.

Also enclosed is our check in the amount of **\$1,654.00**, for the government filing fee of **\$740.00**, **\$504.00** for extra claims, **\$280.00** for multiple dependent claims, and the surcharge fee of **\$130.00** for filing the late Declaration. In the event that any additional fees are due with this paper, please charge Deposit Account No. 01-2340.



In the event that this response is not timely filed, applicants hereby petition for an appropriate extension of time. The fees for any such extension may be charged to our Deposit Account No. 01-2340. This paper is filed in triplicate.

Respectfully Submitted,

ARMSTRONG, WESTERMAN & HATTORI, LLP

A handwritten signature in black ink, appearing to read "Donald W. Hanson".

Donald W. Hanson
Attorney for Applicants
Reg. No. 27,133

DWH/jaz
Atty. Docket No. **011786**
Suite 1000, 1725 K Street, N.W.
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(202) 659-2930



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PATENT TRADEMARK OFFICE

Enclosures: Notice; Declaration; Specification, Claims, Abstract and Drawings (Four Sheets)



MAY 2002
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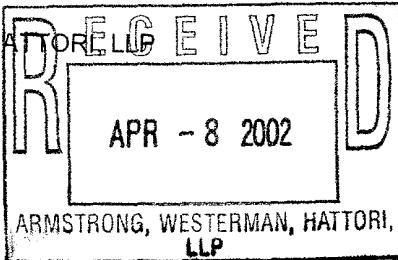
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COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/038,875	01/08/2002	Itaru Honma	011786

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ARMSTRONG, WESTERMAN & HATTORI, LLP
1725 K STREET, NW.
SUITE 1000
WASHINGTON, DC 20006



CONFIRMATION NO. 6435

FORMALITIES LETTER



OC000000007788389

Date Mailed: 04/04/2002
Due June 4, 2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

05/28/2002 BABRAHA1 00000050 10038875

FILED UNDER 37 CFR 1.53(b)

01 FCB101 740.00 OP
02 FCB105 130.00 OP
03 FCB103 504.00 OP
04 FCB104 280.00 OP

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 740 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$784.
 - \$504 for 28 total claims over 20.
 - \$280 for multiple dependent claim surcharge.
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 1654.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- A substitute specification in compliance with 37 CFR 1.52 because:

Papers contain improper margins. Each sheet must have a left margin of at least 2.5 cm (1") and top, bottom and right margins of at least 2.0 cm (3/4")

06/03/2002 SCALEEKU 00000017 012340 10038875

01 FCB103 396.00 CH

jw AF
4-8-02

A copy of this notice MUST be returned with the reply.

Morong

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE